

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of themselves and all others similarly situated,)	
)	
Plaintiffs,)	Civil Action No. 6:21-cv-00474-AA
v.)	
)	
U.S. DEPARTMENT OF EDUCATION and)	DECLARATION OF RACHEL
Suzanne GOLDBERG, in her official capacity as)	HELD
Acting Assistant Secretary for Civil Rights,)	
U.S. Department of Education,)	
)	
Defendants.)	

I, Rachel Held, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am a resident of Macungie, Pennsylvania, located in Lehigh County.
3. Beginning in August of 2017, I became a student at Messiah University in Mechanicsburg, Pennsylvania. I expect to graduate in May of 2021 with a degree in Peace and Conflict Studies.
4. I am a federal income taxpayer in the United States. I will also be required to repay student loans from the U.S. Department of Education that I took out to enroll at Messiah University.
5. I attended Messiah University because it was highly recommended by the Christians in my life as being a good school, especially for education majors, which I was considering at the time. Being in a Christian college seemed like the right thing to do because I grew up Christian and wanted to be in a Christian environment for school.
6. I also attended Messiah because I was offered a scholarship and my parents liked the school.
7. Messiah University's student handbook outlines rules of behavior for students. This handbook contains a specific "Sexual Behavior" section.
8. The section begins, "we affirm Christian marriage to be the union of one man and one woman and that human sexuality should be understood within this framework."
9. The handbook goes on to state: "students who experience same-sex attraction or LGBT+ are expected to refrain from 'same-sex sexual expression' as embodied in culturally

contextual practices (e.g., identifying as a couple or exhibiting expressions of physical intimacy).”

10. I am a bisexual woman.
11. I use she/they pronouns.
12. I’m engaged to a man who is not a student at Messiah.
13. I feel comfortable talking about my fiancé on campus because he is a cisgender male. I would not feel comfortable talking about my fiancé on campus, and could be subject to disciplinary action, if my fiancé was female or a transgender male.
14. I worked as an RA at Messiah. During RA orientation, we were asked whether we think LGBT+ students should be allowed to hold leadership positions.
15. During my Freshman year, an RA told me that when one of Messiah’s RAs was approached by a gay student and that RA told the student that being gay was wrong and encouraged him to seek out guidance to overcome his sin. That RA was rehired as an RA the following year.
16. I fear that if the wrong people at Messiah University found out that I am bisexual, that I could be in danger of immediate discipline or dismissal.
17. I feel safe coming out to my friends and some professors and staff. However, I would not publicize it to people that I do not know.
18. The school has polarized views that can both be progressive on one side of the spectrum, yet hateful to members of the LGBT+ community on the other end. Both views are tolerated by Messiah.
19. Messiah’s policies on sexual orientation and gender identity make me feel uncomfortable and very angry. It is scary knowing that such an intimate part of your life can be policed by university administrators.
20. Other students are also encouraged by Messiah to inform on each other when they violate campus policies around student conduct, including alcohol use and sexual rules. This is called “the silent witness program.” I have been reported on by another student before and it makes me nervous knowing that my sexuality could be reported as well.
21. There are also double standards when it comes to how straight relationships are treated as opposed to same sex ones.
22. I feel a lot of anxiety when I am at school when it comes to determining what I can say and to whom. I fear telling my roommates my sexual orientation or requesting that they use she/they pronouns because I worry about them being uncomfortable with me or that they will view me differently.

23. I worry that upon my graduation, my school's anti-LGBT+ policies will be an impediment to finding a job because employers will view me as incapable of serving or respecting LGBT+ people.
24. There are other LGBTQ+ students at Messiah University right now.
25. The Sexuality and Gender Education (SAGE) program at Messiah allows for some discussion and community for LGBT+ students. However, Messiah University does not allow an independent LGBT+ club on campus. Unofficial clubs exist at Messiah but they are not allowed to advertise or be public about their meetings. Many queer students don't know about these groups because of the secrecy imposed by Messiah.
26. Messiah University says that "Students who identify as LGBT+ are welcomed at Messiah University." However, I feel like Messiah's welcome falls short because they adopt the "love the sinner, hate the sin" mentality. It is almost more painful than an explicitly unwelcoming environment because it makes me think I will be fully safe and accepted as a bisexual student on campus, when in fact, I am not.
27. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 12th day of February, 2021.

By:



Rachel Held